

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

July 23, 2008

The meeting was called to order at 4:00 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, and Phil Conder

ABSENT:

Mary Jayne Davis and Jason Jones

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Frank Lilly, Jody Knapp, Hannah Thiel, and Nichole Camac

WEST VALLEY ADMINISTRATIVE STAFF:

Nicole Cottle, Deputy City Attorney

AUDIENCE

Approximately fifteen (15) people were in the audience

CONDITIONAL USE APPLICATIONS:

C-29-2008

T-Mobile

7185 West 3500 South

C-2 Zone 1.81 acres

T-Mobile is requesting conditional use approval to construct a 60' high monopole on the property at 7185 W. 3500 S. This property is zoned general commercial (C-2) and has a retail building on the 3500 South frontage and self-storage units behind the retail building. The West Valley City General Plan anticipates general commercial uses in this area.

The proposal from T-Mobile is to construct a standard (non-stealth) 60' high monopole with flush mounted antennas on the self-storage portion of the development behind the retail building. The monopole and associated equipment would be behind a wall and between the manager's residence and a building containing self-storage units. The Wireless Communications Facilities ordinance allows a non-stealth monopole in this zone as long as there is not another non-stealth monopole within a one-half mile radius. The closest approved monopole is approximately 3,000 feet to the south east of this location although that pole has not been constructed yet.

The monopole and associated equipment is inside the gated area or the self-storage units and not accessible to the general public. However, it is next to the interior travel lane for the storage units and will be secured by an eight foot high chain link fence. The area between the two buildings where the facility will be located is approximately 20' by 36' and the lease area for the facility will be 11' by 21'. The area is currently surfaced with gravel and there are no plans by the applicant to change that other than a 10' by 10' concrete pad for the equipment and the necessary foundation for the monopole.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. All requirements of any affected departments and agencies must be met.
 2. All applicable requirements of the Wireless Telecommunications Facilities ordinance (Chapter 7-23) must be met.
 3. The lease area must be kept free of weeds and debris.
- Continuance, to allow for there solution of any issues raised at the public hearing

Applicant:

Terry Cox
121 Election Dr.
Draper, UT

Discussion: Hannah Thiel presented the application. Terry Cox, representing T-Mobile, distributed photo simulations of the monopole at the proposed location. He explained that everything will be hidden with the exception of the top of the pole which cannot be concealed. Mr. Cox stated that T-Mobile originally anticipated this pole being located at Orchard Elementary but that location was not something they could come to terms with. He added that this new proposal is adequate but was very tough to find. Mr. Cox explained that the pole is the standard used for all West Valley City projects. Phil Conder stated that this is a much better location for the monopole than Orchard Elementary. Mr. Cox replied that it isn't as good for coverage but it may be better for placement.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval subject to the three staff conditions.

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - C-29-2008– Approved

C-31-2008

Legends Child Development Center

2836 South 5600 West

General Commercial Zone, 2.5 acres

Staff Presentation by Hannah Thiel, Planner I

Background

Danielle Archuleta, representing Legends Child Development Center is requesting a conditional use amendment for an outdoor play area for a new daycare facility that is proposed to be located at 2836 South 5600 West. The shopping center was approved for a conditional use on February 23, 2005. Although a daycare facility is permitted use in the C-2 zone, the Planning Commission must review the application as an amendment to the site and the original conditional use application.

The applicant is requesting fencing off the Southwest corner of the site to allow for an outdoor area for the daycare. This location would use four parking spaces in the outdoor area, as well as occupy the current dumpster location. The applicant is proposing to move the dumpster to the second existing dumpster location on the northwest portion of the property, expanding that dumpster location and using two parking spaces for the move. The applicant is proposing to use 6 spaces of the 113 spaces provided. There are a minimum of 106 spaces required on site, so there will be one extra space above the minimum requirements for parking. The parking requirement for a daycare is 1 space for every 300 square feet of business space. The space the applicant is proposing to lease is approximately 8900 square feet. The entire building is 20,546 square feet with 4366 square feet of restaurant space. No plans for signage are currently proposed.

Staff's concern with the proposed location for the outdoor area of the daycare is the relocation of the dumpster. The dumpster's new location is a considerable and prominent avenue for the restaurant to take in getting rid of their waste. However, the outdoor area being proposed seems to be the best location for the screening and safety of the children who will be cared for.

Planning Commission Concerns

The Planning Commission has expressed concern in the Study Session on July 16, 2008. The concern was in regard to the fence material to enclose the outdoor play area. The Planning Commission would like to see a high quality fence material that would be difficult to climb and one other than a chain link fence.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 - That the fence and play area shall meet all regulations for all West Valley City Codes and Departments.
 - That the fence shall be constructed of a vinyl material in a style that does not lend itself to climbing.
 - That any signage shall meet the Sign Ordinance requirements, and that the applicant obtain a sign permit for signage.
 - That the dumpster being moved shall be enclosed with masonry walls, compatible with the existing masonry enclosure for the dumpsters.
 - That landscaping shall be replaced next to the proposed location of dumpster after the move and building of the masonry enclosure.
 - That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of the Conditional Use Amendment

Applicant:

Danielle Archuleta
5213 W. Holder Dr.
West Valley City, UT 84120

Favored:

Tyler Archuleta
5213 W. Holder Dr.
West Valley City, UT 84120

Discussion: Hannah Thiel presented the application. The applicant, Danielle Archuleta, explained that she is proposing a rigid vinyl fencing around the play area that prevents children from climbing over. Tyler Archuleta, the applicants spouse, displayed a sample of this fencing to the Planning Commission. Harold Woodruff questioned the age of the children that will attend the daycare facility. Ms. Archuleta replied the ages will range from infants to 12 year olds. Brent Fuller asked how many children will be kept at the daycare. Danielle explained that the State licensing maximum for a facility of this size is 200 children. Phil Conder questioned if the asphalt will be changed. Ms. Archuleta explained that there is already grass, the dumpster will be removed and replaced with sod, and the asphalt will remain but rubberized tiles will be included under the playground for safety.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for approval subject to the 6 staff conditions.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - C-31-2008– Approved

ZONE TEXT CHANGE APPLICATION

ZT-9-2008 – continued from July 9, 2008
Zone Text Change Temporary Sign Ordinance
Staff Presentation by Hannah Thiel, Planner I

Legal Authority

Title 11 Sign Ordinance

Background

Staff is requesting a zone text change for the Sign Ordinance. This text change would reorganize, clean-up, and add regulations to the Temporary Sign Ordinance. The existing ordinance minimally refers to temporary signs in various places in the sign ordinance, which creates some confusion as to the City's standards. This item is continued from the Public Hearing held on July 9, 2008.

This text change would create a 90 day time limit for temporary signs, other than window signs, and limit businesses to one temporary sign. An exception to this would be for Grand Openings, where businesses could have multiple signs and various sign types that are otherwise prohibited for 30 days after approval of a business license.

The following is a summary of changes this Temporary Sign text change is proposed to undergo;

1. Further types of temporary signs added to definition
2. General clean-up of ordinance
3. Reformat ordinance to keep all temporary use signs together
4. Flags (permanent) added under Miscellaneous
5. Bus Bench standards added under Miscellaneous
6. Banner light pole signs allowed within parking lots (max 12 sq ft) added under Miscellaneous
7. Temporary Signs
 - a. Permit sticker for sign required;
 - i. We just have a stack at the counter that we hand out,
 - ii. The business owner signs a form saying he or she will follow the ordinance
 - iii. The dates that the sign is okay is written on the sticker
 - iv. We keep a spreadsheet or list of who has gotten a sticker and where, although since only one is allowed, code should be able to monitor this with out a list...
 - b. Time limit of 90 days with 1 allowed every six months (On 90, off 90)
 - c. Banner Signs – now 1/business– max 50 sq ft until the tenant space is min 150 linear ft when the business can have 10% of front facade
 - d. Banner Signs – now 1 allowed per business until get permanent signs – max 90 days
 - e. Government flags – now 3 allowed per business or dwelling – in conjunction with flag code
 - f. Merchandise Display clean up – out of ROW including on and off site sidewalks
 - g. Prohibited Signs (A-frame, mobile, off premise, mobile/pedestal, feathers, flags used for advertising, streamers/pennant-type streamers, snipe signs unless political, inflatable)
 - h. Grand Opening allows business owner to use whatever signage they like for 30 days from issuance of business license (must keep out of clear-view and ROW)
 - i. Window Signs – max 50% of window coverage per business (one covered, one open, or a banner across the top of multiple windows)
8. Roof Sign revamp

Planning Commission Concerns

The Planning Commission issued concern at the Study Session on July 2, 2008 regarding the following:

1. The time it takes someone to have a permanent sign manufactured for their business. ~ Yesco indicated it would take 4-6 weeks to complete an order for a new wall sign, so the 90 day time period should be more than enough time for a business to have a permanent sign made.
2. The number of Commercial or Manufacturing Construction Project Signs on larger lots ~ An exception was added to permit the Planning Commission to allow more than one sign for the City Center Zone, for properties next to freeways, and for projects larger than five acres.
3. Government flags may be put in the park strip or front yard setback on National AND Local holidays.
4. Grand Openings may be held a maximum of once every two years.
5. 'Off-Site promotional signs...' were deleted from acceptable zoning regulation for new subdivisions, although a developer may still be able to use off premise signage from 11-5-102(4). By deleting it, it really only limits the awareness of that allowance...
6. Four off-premise signs are allowed for open houses for a maximum of eight hours a day.
7. State and Local political signs can be posted a maximum of two months prior to the election (and removed 15 days after the election date).
8. A maximum of 30% of a building façade can be used for temporary signage at one time.

The Planning Commission continued this item from the Public Hearing held on July9, 2008 for the following concerns:

1. Newspaper stands don't provide an attractive element to street aesthetics. ~ Those desiring a newspaper stand must enter into a franchise agreement with the City to place a newspaper stand. Only one stand is allowed per bus stop, but the stand could have up to four compartments for newspapers.
2. A total of 24 square feet of signage is a very significant amount of signage to allow on light poles in parking lots. ~ A maximum of 12 square feet is now allowed.
3. Permanent flags can look aesthetically pleasing and shouldn't be limited in number. ~ There is now no limit on number for government flags. Applicant must go to PC if they'd like any advertising flags or to locate advertising flags closer than 20' to the property line. An applicant must also go to Planning Commission if they'd like government flags closer than 10' from the property line.
4. Window signs shouldn't be allowed at all for businesses. ~ Due to Chamber West's recommendation, and division among the Planning Commissioners, Window signs are proposed to be limited to 50% window area.

Recommendations/ Staff Alternatives

- Approval of the Zone Text Change of the Sign Ordinance subject to any conditions placed by the Planning Commission.
- Continuance, for resolution of any issues.
- Denial of the Zone Text Change of the Sign Ordinance.

Applicant:

West Valley City

Discussion: Harold Woodruff stated that he suggests changing the maximum window signage to 25% and political signs to a maximum of 16 square feet. Terri Mills stated that she likes the idea of one uniform newspaper stand at transit locations rather than multiple receptacles but added that she doesn't have the experience or knowledge to address how many newspapers should be permitted in one stand. Chairman Woodruff replied that he liked the idea of one stand that holds four newspapers because that seems to make the most sense.

Phil Conder stated that he is leaning toward not permitting advertising flags and added that patriotic flags are fine. Harold Woodruff questioned if flags like McDonalds' would need to be removed. Hannah replied that permanent flags will stay but all temporary flags must conform. Phil Conder questioned if anybody wishing for a temporary commercial flag can apply for a conditional use amendment. Nicole Cottle replied that anyone who already has a commercial flag would be allowed to keep it but anything new would need to go to the Board of Adjustment. Commissioner Conder asked what would happen if an applicant was changing an existing flag to a new look. Nicole replied that they would be required to come into conformance. Harold Woodruff stated that some corporate flags look fine. Commissioner Conder questioned if the Planning Commission can restrict commercial flags to corporate logos. Nicole Cottle replied that it can't legally be restricted by content, only by group of content like commercial, governmental, etc. Chairman Woodruff questioned if there has ever been an issue with a business using flags as a pole sign. Phil Conder replied that he believes it could become a problem as pole signs are no longer permitted. Jack Matheson pointed out that the Cultural Celebration Center has their own flag. He added that if a company is willing to invest in a permanent flag pole they are going to put up whatever they wish, even if it is advertising for their firm.

Commissioner Matheson stated that he believes the Chamber recommendation of 50% window signage is necessary. Phil Conder replied that he can be swayed either way on window signage and added that the important thing is to get something in place rather than the virtually nonexistent requirements the City has now.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Conder moved for approval subject to the items outlined in the packet provided by staff as well as the following conditions:

1. Window signs shall have a maximum coverage of 25%

2. Political signs shall not exceed 16 square feet
3. Commercial flags are not allowed (temporary and permanent)
4. Staff will attempt to accommodate Planning Commission concerns for commercial flags and revisit ordinance in the near future.
5. Only one newspaper enclosure will be permitted at each transit location with a maximum of 4 newspapers per bin.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	No
Commissioner Mills	Yes
Chairman Woodruff	No

Majority - ZT-9-2008– Denied

Chairman Woodruff called for a second motion.

Motion: Commissioner Matheson moved for approval subject to the items outlined in the packet provided by staff as well as the following conditions:

1. Window signs shall have a maximum coverage of 50%
2. Political signs shall not exceed 16 square feet
3. Temporary commercial flags are not allowed (permanent flagpoles shall remain)
4. Only one newspaper enclosure will be permitted at each transit location with a maximum of 4 newspapers per bin

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Conder	No
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

Majority - ZT-9-2008– Denied

Chairman Woodruff called for a third motion.

Motion: Commissioner Conder moved for approval subject to the items

outlined in the packet provided by staff as well as the following conditions:

1. Window signs shall have a maximum coverage of 25%
2. Political signs shall not exceed 16 square feet
3. Staff will review ordinance with the Planning Commission in the future.
4. Only one newspaper enclosure will be permitted at each transit location with a maximum of 4 newspapers per bin

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	No
Commissioner Mills	Yes
Chairman Woodruff	Yes

Majority - ZT-9-2008– Approved

ZT – 4 -2008

West Valley City

Food vending carts and vehicles

The following application was continued from the June 25, 2008 hearing to allow time for staff to meet with food vending owners and make modifications to the proposed ordinance.

On March 18, 2008 (effective date March 24, 2008) the West Valley City Council enacted a moratorium on food vending carts. This was to allow time for City staff to investigate and examine how these uses impact the City, businesses and property owners and to review and draft applicable standards for food vending carts.

Currently the West Valley City code allows for food vending carts however very little standards apply to these uses. When the Code was first drafted most of the carts that were used were open-air carts and they were not being used year round. Therefore, a time limit was not placed on this use as it was typically self-regulating. However, the trend seems to be going more towards enclosed food carts, which can stay on a site all year round and making the use more permanent and not temporary as was originally intended.

After meeting with the West Valley City Fire Department, Building Inspection Department, Business Licensing, Code Enforcement and the Salt Lake Valley Health Department it was determined that some guidelines are necessary for this use if it is going to continue to be allowed.

Therefore, staff has drafted the attached ordinance for consideration.

Staff Alternatives:

Approval of the suggested amendments to the West Valley City Municipal Code with the following provisions.

Current licensed food vendors that can meet the health and safety requirements of the ordinance shall have the first right of refusal for licenses granted under this ordinance. The cap, spacing and separation requirements would only be applicable to new applications.

Continuance to allow staff more time to draft revisions to the proposed Ordinance

Applicant:

West Valley City

Interpreter:

Nora Clements
West Valley City Treasury

Fire Department:

Carl Andreasen
Donald Slick

Neutral:

Andres Morales
11767 Bluerock Ave.
South Jordan, UT 84091

Neutral:

Maria Santiago
4544 S. 4000 W.
WVC, UT 84120

Neutral:

Marti Martinez
5236 S. Level Dr.
SLC, UT 84118

Discussion: Jody Knapp presented the application. Nora Clements translated for the public from English to Spanish. Terri Mills questioned whether clean-up is included in the hours of operation. Jody replied that everything must be cleaned up by midnight. Commissioner Mills explained that the ordinance should state that carts must be removed by midnight. Jack Matheson asked the Fire Department how often inspections take place. Carl Andreasen, representing West Valley City's Fire Department, explained that there have been a lot of problems contacting the vendors and getting past the language barrier. He added that the carts should ideally be inspected annually. Harold Woodruff questioned if this new process would make things easier. Carl replied that it will definitely help both the vendors and the Fire Department. Chairman Woodruff asked if vendors will be prohibited from operating until they have passed a Fire Department inspection. Jody replied yes and stated that a letter will be sent to the vendors with a list of requirements 30-60 days prior to the inspection so they will have adequate time to prepare. She explained that ideally everyone would then meet at one location where the Health Department, Fire Department, Building Inspection, and Planning and Zoning can review the carts at one time. This will also help with issuing business licenses because everyone will come for review at the same time. Carl agreed that this will also bridge barriers and miscommunication within City departments. Terri Mills questioned what concerns the Fire Department has with converted camp trailers. Carl explained that there are dangerous safety hazards in these food vending vehicles that include problems with hood systems, ventilations, and wiring that is not up to code. He added that aisle spaces in camp

trailers are not set up to accommodate evacuation in the event of a fire because the only way out is through the window due to items blocking the door. Carl concluded that there are various other safety concerns from the Fire Department including over loaded extension cords that pose a dangerous fire hazard.

Andres Morales, a concerned vendor, requested that the Planning Commission help vendors find solutions to the problems. He stated that during the winter it is very hard to operate without protection from the elements and prohibiting tarps is a concern. He stated that operating the taco stand is his business and he depends on it for his livelihood. Mr. Morales questioned what type of violation from the Health Department could lead to a closure. Jody Knapp clarified that a violation is something that can be fixed immediately and a closure suggests more serious problems that take time to rectify. Mr. Morales stated that the City has given the vendors a list of rules that they must meet but questioned what is being done to help them adjust to these changes. Jody replied that a lot of these concerns were discussed with other vendors during several other meetings and added that some things are unavoidable, like tarps, for safety reasons. Carl Andreassen sympathized that it does get very cold in the winter but explained that people get overly creative with the way they use their tarps and this creates a fire and safety hazard. He explained a situation where a vendor wrapped a tarp around the taco cart and a vehicle and then left the car running while children sat inside. He added that there are likely tarp configurations that do work but there are so many people that come up with dangerous alternatives that it has become easier to ban them entirely. Mr. Andres replied that he simply needs something around him to protect him from the cold and suggested a plastic screen of some type. Carl replied that the Fire Department could look at alternative solutions during inspection.

Maria Santiago, one of the existing taco cart vendors, questioned when these changes will be applied. Jody explained that existing vendors will receive a notice and will only need to meet the Health and Fire Department standards. All other requirements, like spacing, will apply to new vendors only. Ms. Santiago replied to some of Mr. Morales comments by stating that his concerns were already addressed by the City and other vendors and added that he should have attended previous meetings if his business was important to him. Ms. Santiago suggested that all vendors must come to the inspection and if they aren't present they should lose their spot. Ms. Santiago questioned who will be doing the inspections and how often. Jody replied that the carts will be enforced with this new ordinance by the Code Enforcement Department and inspections will likely take place by the usual departments at one specific location on a specific date. Ms. Santiago asked who the umbrella is intended for. Jody replied it is for the food vending unit operator. Ms. Santiago clarified that the vendors who pass the inspections will get the 15 spots. She stated that few vendors came to the meeting and few will come to the inspections. She stated that those who don't go to the inspection should be closed automatically. Jody replied that if the vendors do not come, they will not get a license. She added that no new applications will be accepted until the City falls below the cap. Ms. Santiago stated that she didn't understand the definition

of coolers in the ordinance or in the meeting held by staff. Jody clarified that stacked simply means that the coolers should be kept together rather than spread out around the site.

Marti Martinez explained that she needs a total of 4 coolers, 2 behind the scene to keep food cool and 2 in the front so customers can prepare tacos and get their drinks. Jody replied that this would be fine because there is a separate requirement for drink coolers. Ms. Martinez stated that she had some concerns with the requirement of smooth sidings inside of the carts and the location of the propane tanks. Carl Andreasen replied that if everything is safe inside, it can be approved. Ms. Martinez stated that she doesn't mind a random check from City and added that vendors know what the new regulations are and it will be their responsibility to uphold these standards. She concluded that she likes the idea of one inspection site on the same day because it will be beneficial for everyone involved.

Phil Conder questioned whether it would be a good idea to include a review from the Fire Department on structures used to protect vendors during the winter. Jody replied that one umbrella is proposed in the ordinance but anything else has been a difficult problem to resolve because it's too subjective to review. She explained that if it's part of the cart, it can't be changed easily. Commissioner Conder asked if distance from the cart is the issue. Jody replied that from the Fire Department's perspective it's the distance and covering the top of the trailer creates a potential for grease fire. She explained that the Health Department is concerned about cleanliness and toxicity. Commissioner Conder suggested a rigid structure mounted somewhere on the trailer that is subject to fire review. Carl explained that this could work quite well because it will provide a wind break. He elaborated that some things, like highly flammable, versatile blue tarps, are completely unacceptable. Carl stated that a non-combustible rigid structure could work if it's built well and is subject to review from the Fire Department. He added that the only problem that happens is that when one item works, other people try to replicate it and there ends up being 10 variations that are unsafe. Jody stated that the 8' x 19' size requirement should stay the same so no one builds a "fortress".

Terri Mills questioned if the Health Department addresses converted camp trailers and the possibility of sleeping and eating in the same unit. Jody replied that this is an issue that hasn't come up but she stated that in most taco carts, the sleeping areas in the trailer have been removed. Carl Andreasen agreed that most have been modified enough that there are no sleeping quarters. Jody stated that allowing only manufactured trailers was too restrictive because there are some converted trailers that still work well. Carl explained that the problem with non-manufactured food trailers is that grease vapors cause problems and without a proper hood system, it creates a fire and safety hazard. Hood systems are very heavy and require a lot of power and incorporating this into a regular camp trailer may render the trailer unsafe. Ms. Santiago stated that she has a suppression system and questioned if she would still need a hood system as well. Carl replied

that Ms. Santiago has a trailer that is manufactured for food vending so it already has the proper suppression system needed. Phil Conder asked if each trailer is required to have a fire extinguisher. Jody replied that they are required to have a fire suppression system that comes with nozzles and a fire extinguisher.

Marti Martinez stated that she isn't clear on what a rigid structure might imply in reference to a type of shield during the winter. Carl replied that it's hard to answer that question and stated that it may be wood, metal, etc. The important thing is that it must be something that will not flap in the wind and something that will not create a fire or safety hazard. He stated that anybody wishing to see if something would work could come to the Fire Department and they could look it over and discuss various options. Jody pointed out that this doesn't address the aesthetic issue and that is part of the reason the umbrella is part of the original plan.

Phil Conder stated that there has been a lot of good work and input on this subject from staff and from the community. He questioned whether other meetings had good attendance. Jody replied that most people who attended the other meetings were in the audience for today's public hearing. She stated that everyone will do things differently and that's the hard part of creating a single, unified ordinance. Harold Woodruff replied that the Planning Commission is in agreement with the ordinance and the only real issue is the windbreak concept during the winter. He questioned if the Planning Commission should allow a slight opening for Fire Department review on this particular matter. Commissioner Conder replied that he believes its necessary to leave an opening so that operators can come up with proper solutions and the Fire Department can ensure that everything complies. Carl replied that the Fire Department wants to help these vendors as much as possible and what is being presented isn't perfect but it's the best unified solution anyone could come up with. Jack Matheson questioned if the tarps are not permitted in the ordinance Jody has drafted. Jody replied that they are prohibited. Jack Matheson clarified for the public that a self powered unit is considered mobile and can only stay at one location for a certain period of time. Jody replied that trailers ensure that food temperatures are maintained and everything is clean so they seem to be the best way to go, even if they are a larger investment. Mr. Morales stated that the Health Department requires hot water during the winter and explained that this is very hard to do. Jody replied that hot water is required at all times for hand washing purposes and this is not something that can be adjusted. She stated that other carts have had to find remedies for this problem by installing heat tape or some other alternative. Brent Fuller stated that every vending cart is built differently so it will be hard to address all the problems that may be encountered. He added that an opening should be provided to accommodate adjustments for various situations. He concluded that this is a good start and perhaps staff can review it at a later date to ensure that everything is working properly.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Conder moved for approval subject to the staff alternative as well as the following conditions:

1. Food vending carts shall be permitted to operate from 7:00 a.m. to 12:00 a.m. All carts must be closed and cleaned by 12:00 a.m. (midnight)
2. If any modification is necessary after this new ordinance is tested and applied it should return to Planning Commission

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	No
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - ZT-4-2008– Approved

GENERAL PLAN CHANGE APPLICATION

GP-2-2008

West Valley City

General Plan text change to include West Valley City's Growth Principles and Objectives

The West Valley City Planning Commission is being asked to consider Growth Principles and Objectives to establish benchmarks for the City's General Plan update and to guide future development in the City. The growth principles and objectives were inspired by similar principles adopted by the Wasatch Front Regional Council (WFRC) and the Mountainlands Association of Governments (MAG) as part of the *Wasatch Choices 2040* regional transportation plan. The wording of these principles was established in a series of study sessions with the Planning Commission in the months of May and June 2007.

Since 2006, City planners have used the WFRC and MAG Growth Principles and Objectives to evaluate major subdivisions and significant commercial and mixed use projects. West Valley City's growth principles and objectives were established to reflect the unique circumstances and character of the local community, and they over environmental, economic, and quality of life issues.

The Growth Principles and Objectives are as follows:

1. **Provide public infrastructure that is efficient and adequately maintained.**
 - Promote redevelopment to better utilize existing infrastructure.

- Optimize use and maintenance of existing infrastructure.
- Promote compact development near transit consistent with market demand.
- Encourage contiguous growth to reduce infrastructure expenses.
- Develop long term funding sources for infrastructure development and maintenance.
- Encourage cooperation and coordination in the use of transportation and utility corridors and rights-of-way.

2. Provide regional mobility through a variety of interconnected transportation choices.

- Develop a balanced, multi-modal transportation system.
- Coordinate transportation with regional employment, housing, educational and activity centers.
- Encourage future commercial and residential areas within close proximity of each other to reduce travel distances.
- Encourage a balance of jobs and housing in each part of the region to reduce travel distances.
- Support actions that reduce growth in per capita vehicle miles of travel.

3. Integrate local land use with regional transportation systems.

- Land use planning and decisions remain a function of local communities.
- Preserve corridors for future infrastructure needs where legally defensible.
- Make land use and transportation decisions based on a comprehensive understanding of their impact on each other.

4. Provide housing for people in all life stages and incomes.

- Provide an adequate supply of workforce housing near regional job centers.
- Encourage land use and housing policies to accommodate the need for a variety of housing types throughout the region.
- Encourage housing and other development near transit to maximize the efficiency of the public transportation system.

5. Ensure public health and safety.

- Encourage communities to develop transportation facilities that promote physical activity and healthy living.
- Encourage accessibility of housing to other destinations to enable the routine use of walking and bike paths.
- Promote water conservation initiatives within the City.
- Promote interconnected streets to reduce travel distances.
- Provide efficient police and emergency access.
- Provide safe access to, and use of, all modes of transportation.

6. Enhance the regional economy.

- Improve mobility to foster a robust economy.
- Use transportation investments and land use decisions to develop the local and regional economy.
- Transportation and land use decisions should lead to improved quality of life to help retain and recruit businesses and labor.
- Transportation and land use decisions should help keep our region an affordable place to live and do business.

7. Promote regional collaboration.

- Encourage collaboration among government, business, education, civic and community organizations.
- Coordinate development and maintenance of regionally significant utilities and transportation facilities.
- Include a broad base of involvement in the planning process.
- Coordinate local and regional planning efforts.
- Promote the sharing of information and expertise.
- Coordinate local and regional emergency services.

8. Strengthen sense of community.

- Preserve environmental, cultural, and historical assets.
- Promote unity and cohesiveness while valuing excellence and diversity.
- Avoid physically dividing neighborhoods.
- Use transportation to bolster town centers.

9. Protect and enhance the environment.

- Protect and enhance the natural environment.
- Enhance the aesthetic beauty of our built environment.
- Promote conservation of energy, water, and regionally significant critical lands.
- Enhance air and water quality.
- Encourage conservation of open space and irreplaceable natural resources in land use decisions.
- Create and enhance access to areas of natural beauty and recreation.
- Encourage community trails coordinated with regional/state trail systems.

Staff Alternatives:

1. Approval, in order to ratify current staff practice and to guide the continued development of West Valley City's general plan update.
2. Denial, on the grounds that the proposed growth principles might hinder West Valley City's flexibility in making future land use decisions.

Applicant:

West Valley City

Discussion: Frank Lilly presented the application. Jack Matheson expressed concern that the checklist provided in the packet still stated Wasatch Front Regional Council Growth Principles and Objectives. Frank replied that this was included simply to show the Planning Commission the original document and will be changed to reflect that they have become West Valley City's Growth Principles and Objectives. Brent Fuller stated that he has reservations about where this checklist comes from and what it is really saying. Commissioner Matheson replied that his only concern now is that he doesn't want it to be associated with Wasatch Front Regional Council. Frank Lilly stated that these are West Valley City's objectives and are indicated as such in the City's General Plan. Commissioner Matheson stated that the higher density projects near transit oriented locations comes from Wasatch Front Regional Council and comments from the governor. He indicated that he still has reservations on this but as far as the principles themselves, he feels that they have been changed enough that they apply to West Valley City.

Brent Fuller stated that he is not opposed to the principles but he still has some concerns. He indicated that his problem from the beginning has been with apartment complexes and the feeling these values provide seem to encourage substandard housing. He stated that he doesn't know how to resolve this problem and he doesn't like it being forced upon the Planning Commission. Jack Matheson replied that he is not opposed to a variety of housing types as long as they are a quality development. Brent stated that he supports quality developments as well, he's just uncomfortable with the fact that West Valley City is inviting a certain type of development in a certain area. John Janson reminded the Planning Commission that West Valley City does have multi-family design standards that resolves a lot of issues. Frank Lilly added that the General Plan map calls out where multi-family housing will be located within the City. He explained that these principles have been modified by the Planning Commission over the past few months and they should reflect something the Planning Commission is comfortable with but adding "high quality" housing can be included if the Commissioners feel it's necessary. Commissioner Fuller stated that he struggles with both exterior and interior quality and feels that its necessary for low income projects to be of a high quality caliber. John Janson stated that the Edge Apartments on 5600 West are in construction and it may be a good idea to see if the multi-family design standards set forth by the City are successful by taking a close look at these. He added that sometimes it's good to adopt something and then come back later to see if its working.

Phil Conder stated that his apprehension is that he doesn't understand what kind of "teeth" these principles have in the General Plan and he is concerned with how the principles can be defined. He added that without "teeth" they have no purpose but if they have too much pull on the General Plan it isn't something he is comfortable with. John Janson explained that these principles are simply a piece of the big picture. He stated that they are important because they are being adopted as part of the General Plan but when someone looks to them in the future they are simply one part of several different factors. John further explained that a project can always be turned

down for other reasons and that people will need to consult the General Plan map as well as the General Plan chapters to get the big picture. Commissioner Conder provided an example on encouraging different modes of transportations by stating that someone could interpret this to mean pogo sticks. John stated that no matter how carefully a document is crafted, someone will always interpret it in an unexpected way and that's why these things can be changed. Commissioner Conder questioned whether the General Plan chapters are part of this approval. Frank replied that those are separate. He explained that these principles are a framework and not a constitution. They can be debated, discussed, and changed as the future becomes more clear.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Conder moved for continuance to allow other Planning Commissioners the opportunity to review the updated principles and objectives.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	No

Majority - GP-2-2008– Continued

PLANNING COMISSION BUSINESS

Approval of minutes from June 18, 2008 (Study Session) **Approved**

Approval of minutes from July 2, 2008 (Study Session) **Approved**

Approval of minutes from July 9, 2008 (Regular Meeting) **Continued**

There being no further business, the meeting adjourned at 6:06 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant